

California Department of Insurance

Fraud Division

December 2009 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

Note: If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program
9342 Tech Center Drive, Suite 100
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

December 2009 Workers' Compensation Fraud Convictions

Case Number: 2009026727

County: Ventura

Defendant: Edward Anthony Cortez

City/County of Residence: Lompoc/Santa Barbara

Conviction Date: 12/04/09

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 24 Months Conditional Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$9,000 Stayed Until 02/24/2011)

CDI Case Number: 09AW006164

County: Sacramento

Defendant: Charles Todd Ford

City/County of Residence: Rio Linda/Sacramento

Conviction Date: 12/07/09

Offense: 1 Count of PC 487(a) (Grand Theft)

Amount Allegedly Defrauded: \$10,930

Sentence: 60 Days County Jail, 5 Years Formal Probation, \$10,930 Restitution

Case Number: SWM090568

County: Riverside

Defendant: Russell Lee Kennel

City/County of Residence: San Jacinto/Riverside

Conviction Date: 12/10/09

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 36 Months Summary Probation, \$10,000 Criminal Fine (\$9,000 Suspended)

CDI Case Number: 07BW010875

County: Solano

Defendant: Jim Joseph Lyons

City/County of Residence: Vacaville/Solano

Conviction Date: 12/21/09

Offense: 2 Counts of PC 487(a) (Grand Theft) (Misdemeanor)

Amount Allegedly Defrauded: \$70,871

Sentence: 60 Days County Jail, 100 Hours Community Service, 3 Years Summary, \$70,871 Restitution, (\$36,713.62 Outstanding Balance), \$100 Civil Fine

CDI Case Number: 06DW005629

County: Orange

Defendant: Michael Lee Matusiak

City/County of Residence: Huntington Beach/Orange

Conviction Date: 12/29/09

Offense: 1 Count of IC 11880(a) (Premium Fraud)

Amount Allegedly Defrauded: \$650,314.56

Sentence: 2 Years State Prison, \$650,314.56 Restitution, \$200 Civil Fine

Case Number: SWM090570

County: Riverside

Defendant: Gerardo Perez Moreno (aka: Gerardo Moreno Perez)

City/County of Residence: Not available at this time

Conviction Date: 12/10/09

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 36 Months Summary Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$9,000 Suspended)

Case Number: P09CRF0494

County: El Dorado

Defendant: Trevor Lee Oharran

City/County of Residence: Placerville/Eldorado

Conviction Date: 12/14/09

Offense: 1 Count of PC 550(a)(1) (Knowingly Present Fraudulent Insurance Claim)

Amount Allegedly Defrauded: TBD

Sentence: 180 Days County Jail, 36 Months Formal Probation, TBD Restitution, \$200 Civil Fine

Case Number: BA355131

County: Los Angeles

Defendant: Francisco Pelayo

City/County of Residence: Not available at this time

Conviction Date: 12/21/09

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

Amount Allegedly Defrauded: \$23,426

Sentence: 1 Day County Jail, 200 Hours Community Service, 5 Years Formal Probation, \$23,426 Restitution, \$200 Civil Fine (Civil Fine shall be stayed while defendant pays restitution. If restitution is paid in full, the stay shall be made permanent)

Case Number: SWM089341

County: Riverside

Defendant: Sheri J. Proskow

City/County of Residence: Lake Elsinore/Riverside

Conviction Date: 12/28/09

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 36 Months Summary Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$9,000 Suspended)

Case Number: TCM227888

County: Tulare

Defendant: German Reyes

City/County of Residence: Hemet/Riverside

Conviction Date: 12/22/09

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 60 Hours Community Service, 36 Months Summary Probation, \$2,540 Criminal Fine

Case Number: RIM533718
County: Riverside
Defendant: Leticia Rodriguez Rodriguez
City/County of Residence: Mira Loma/Riverside
Conviction Date: 12/22/09
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 36 Months Summary Probation, \$10,000 Criminal Fine (\$9,500 Suspended)

Case Number: RIM538661
County: Riverside
Defendant: Kevin Lewis Rosen
City/County of Residence: Riverside/Riverside
Conviction Date: 12/08/09
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 24 Months Summary Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$9,500 Suspended)

CDI Case Number: 06EW014969
County: San Diego
Defendant: Stacie Sobotka
City/County of Residence: Del Mar/San Diego
Conviction Date: 12/14/09
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)
Amount Allegedly Defrauded: \$13,839.11
Sentence: 1 Day County Jail, 5 Years Probation, \$13,839.11 Restitution, \$200 Civil Fine, \$800 Criminal Fine

Case Number: P09CRM1333
County: El Dorado
Defendant: James Allen Vinton
City/County of Residence: Not available at this time
Conviction Date: 12/4/09
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 24 Months Summary Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$9,710 Stayed)

CDI Case Number: 07CW011789
County: Los Angeles
Defendant: Laslo White
City/County of Residence: Palmdale/Los Angeles
Conviction Date: 12/17/09
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor); 2 Counts of PC 550(b)(3) (Failure to Disclose) (Misdemeanor)
Amount Allegedly Defrauded: \$12,700
Sentence: 1 Day County Jail, 150 Hours Community Service (Satisfied), 24 Months Summary Probation, \$ 12,700 Restitution (Paid in Full) , \$200 Civil Fine

Case Number: BA360601

CDI Number: 09JW008203

County: Los Angeles

Defendant: Andrew Francis Zepina

City/County of Residence: Reseda/Los Angeles

Conviction Date: 12/01/09

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

Amount Allegedly Defrauded: \$10,933

Sentence: 225 Hours Community Service, 5 Years Formal Probation, \$10,933 Restitution, \$200 Civil Fine